

**U.S. District Court
District of Nevada
333 Las Vegas Blvd. So.
Las Vegas, NV 89101**



Official Receipt Form

Note: This receipt is valid only with the corresponding AO82 receipt attached.

Receipt Number: 55421

Date: 05/06/2019

Received From:

Name: Todd L. Bice, Esq., Pisanelli Bice PLLC

Address: 400 South 7th Street, Suite 300

City: Las Vegas State: NV Zip Code: 89101

Case Reference: Andi Kraja v. Bellagio, LLC et al, Case # 2:15-cv-01983-APG-NJK

Description of Collateral:

Bond No. 9317711 from Fidelity and Deposit Company of Maryland.

Bond in the amount of \$550,000.00 posted by Defendant Bellagio, LLC, pending an Appeal to the Ninth Circuit under Rule 62(b).

NOTE: THIS ORIGINAL RECEIPT
MUST BE RETURNED TO THE
CLERK OF COURT WHEN
THIS BOND/COLLATERAL IS
RELEASED

ORIGINAL RECEIPT FOR PAYMENT UNITED STATES DISTRICT COURT for the DISTRICT OF NEVADA	
AO82 SWEDA (Rev. 4/96)	No. 55421
Fund	Deposit Funds
6853XX	Registry Funds
604700	General and Special Funds
	Immigration Fees
	Attorney Admission Fees
	Filing Fees
	Sale of Publications Fees
	Copy Fees
	Miscellaneous Fees
	Interest
	Recoveries of Court Costs
	Restitution to U.S. Government
	Conscience Fund
	Gifts
	Crime Victims Fund

NOTE: This receipt is valid only with the corresponding "Official Receipt Form" attached.

Received By: Todd L. Bice

Original receipt must be returned to the Court when exonerated.

ORIGINAL

Appeal Bond

UNITED STATES DISTRICT COURT

ANDI KRAJA

Plaintiff(s)

-against-

BELLAGIO, LLC, a Nevada Limited Liability Company

Defendant(s)

Bond No. 9317711

Index or
Cause No. 2:15-cv-01983-APG-NJK

BY:  DEPUTY

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

MAY - 6 2019

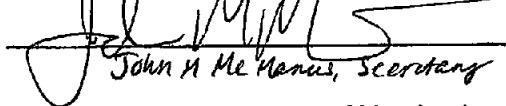
KNOW ALL MEN BY THESE PRESENTS, that we BELLAGIO, LLC, a Nevada Limited Liability Company, as Principal, and Fidelity and Deposit Company of Maryland, a corporation organized under the laws of the State of IL and authorized to do business in the State of NV, as Surety, are held and firmly bound unto ANDI KRAJA, as Obligee, in the maximum penal sum of Five Hundred Fifty Thousand Dollars and 00/100 Dollars (\$550,000.00), lawful money of the United States of America, for which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has appealed to the UNITED STATES DISTRICT COURT from a judgment entered on the 4th day of April, 2019.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall diligently prosecute its appeal to a decision, and shall promptly perform and satisfy the judgment, then this obligation will be void; otherwise to remain in full, force and effect.

SIGNED, SEALED AND DATED this 1st day of May, 2019.

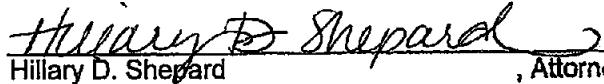
Bellagio, LLC, a Nevada Limited Liability Company

By: 

John N. Mc Manus, Secretary

, Principal

Fidelity and Deposit Company of Maryland

By: 

Hillary D. Shepard

, Attorney-in-Fact

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies,
this 10th day of May, 2019.



Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:

Zurich American Insurance Co.
Attn: Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **ROBERT D. MURRAY**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Terry CRULL**, **David G. JENSEN**, **Hillary D. SHEPARD**, **James BRACY** and **Kristin D. THURBER**, all of Scottsdale, Arizona, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

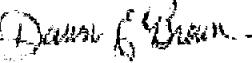
IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 4th day of April, A.D. 2019.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By:


Assistant Secretary
Dawn E. Brown


Vice President
Robert D. Murray

State of Maryland
County of Baltimore

On this 4th day of April, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **ROBERT D. MURRAY**, Vice President, and **DAWN E. BROWN**, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019

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1 Todd L. Bice, Esq., Bar No. 4534
2 TLB@pisanellibice.com
3 Robert A. Ryan, Bar No. 12084
4 RR@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Telephone: 702.214.2100

Attorneys for Defendant, Bellagio, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 ANDI KRAJA, an individual;
12 Plaintiff,
13 vs.
14 BELLAGIO, LLC, a Nevada Corporation;
15 VINCENT ROTOLI, an individual; ROE
16 Business Organizations I-X; and DOE
INDIVIDUALS I-X, Inclusive,
Defendants.

Case No. 2:15-cv-01983-APG-NJK

**STIPULATION AND ORDER
APPROVING SUFFICIENCY OF BOND
PURSUANT TO FED. R. CIV. P. 62(b)**

19 Plaintiff ANDI KRAJA (hereinafter "Plaintiff") and Defendant BELLAGIO, LLC
20 (hereinafter "Defendant"), by and through their counsel of record, hereby stipulate and agree as
21 follows:

22 1. On April 4, 2019, the Clerk entered judgment in favor of Plaintiff and against
23 Defendant in the amount of \$500,000.00 based on the jury's verdict, rendered on April 3, 2019
24 (the "Judgment"). (ECF No. 203.)

25 2. Rule 62(b) of the Federal Rules of Civil Procedure authorizes a party to obtain a
26 stay of execution and other proceedings for enforcement of a judgment by posting a bond or other
27 security.

28 //

1 3. Plaintiff and Defendant have met and conferred on the amount of the bond and
2 stipulate that a bond of \$550,000.00 would provide adequate security for Plaintiff in this action.

3 4. The parties enter into this stipulation solely for the purposes of agreeing on the
4 sufficiency of the bond for purposes of Rule 62(b) and for no other purposes. As such, by entering
5 into this stipulation, neither party intends to waive or agree to any reduction, increase or other
6 amendment or change to the Judgment. Nor does either party intend to waive any claim, defense
7 or any other legal right with respect to the Judgment or these proceedings. Each party expressly
8 reserves all other rights.

9 Dated: May 3, 2019

Dated: May 3, 2019

10 Respectfully submitted,

Respectfully submitted,

11 /s/ James P. Kemp

12 JAMES P. KEMP, ESQ.
13 VICTORIA L. NEAL, ESQ.
14 KEMP & KEMP, ATTORNEYS AT LAW

/s/ Todd L. Bice

TODD L. BICE, ESQ.
ROBERT A. RYAN, ESQ.
PISANELLI BICE, PLLC

15 Attorneys for Plaintiff, ANDI KRAJA

16 Attorneys for Defendant, BELLAGIO, LLC

17 **ORDER**

18 **IT IS SO ORDERED** this 6th day of May, 2019.



19 UNITED STATES DISTRICT COURT JUDGE

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PISANELLI BICE, PLLC
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101